



DOCKET NO.: E0295.70117US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Black
Serial No: 09/605,044
Confirmation. No.: 4788
Filed: June 27, 2000
For: METHOD AND APPARATUS FOR MAINTAINING INVENTORY OF
LOGICAL VOLUMES STORED IN STORAGE ELEMENTS

Examiner: Anderson, Matthew D.
Art Unit: 2186

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the **MAIL STOP RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2004.



Signature

MAIL STOP RCE

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement is being filed concurrently with a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The following are remarks concerning the other information cited:

PART IV: Remarks

This Information Disclosure Statement is identical in substance to the Information Disclosure Statement filed on August 13, 2004. Applicant inadvertently submitted the Information Disclosure Statement of August 13, 2004 after the mailing date of the Final Office Action. To ensure that the references cited in the Information Disclosure Statement of August 13, 2004 are considered, Applicant is hereby resubmitting the Information Disclosure Statement along with the Request For Continued Examination.

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

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By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

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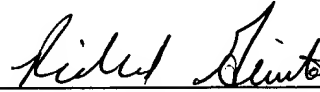
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An early and favorable action is hereby requested.

Respectfully submitted,

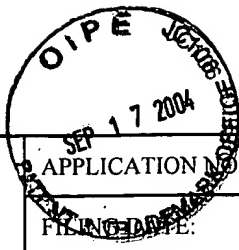
David BLACK, Applicant

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Docket No.: E0295.70117US00
Date: September 15, 2004
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| FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICATION NO.: 09/605,044 | | ATTY. DOCKET NO.: E0295.70117US00 | |
| | | | | FILING DATE: June 27, 2000 | | CONFIRMATION NO.: 4788 | |
| | | | | APPLICANT: David Black | | | |
| | | | | GROUP ART UNIT: 2186 | | EXAMINER: Matthew D. Anderson | |
| Sheet | 1 | of | 1 | | | | |

U.S. PATENT DOCUMENTS

| Examiner's Initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or of issue of Cited Document MM-DD-YYYY |
|------------------------|-------------|----------------------|--------------|--|--|
| | | Number | Kind Code | | |
| | | 6,523,032 | | Sunkara | 02/18/03 |
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FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document (not necessary) | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|------------------------|-------------|-------------------------|--------|--------------|---|---|----------------------|
| | | Office/ Country | Number | Kind Code | | | |
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) | |
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| EXAMINE R | DATE CONSIDERED |
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.